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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
YAOWAPHA RITDET, AND )  
STEVE WALTER, )  
 )  
Defendants. )  
\_\_\_\_\_ )

Case No. CR-14-215 EMC

**STIPULATION AND ~~PROPOSED~~ ORDER  
REGARDING ADDITIONAL DISCOVERY**

The United States of America, through its undersigned counsel, represents the following facts to the Court:

1. The United States previously provided more than 31,000 pages of discovery to Defendants.
2. On February 2, 2016, at the change of counsel hearing regarding defendant Steve Walter, Assistant U.S. Attorney Jose Olivera advised the Court that, in addition to the 31,000 pages of discovery identified in paragraph 1, the United States had in its possession numerous boxes of discovery obtained pursuant to search warrants, which had been made available to Defendants for their review and inspection, but that copies of these additional records had not

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Regarding Additional Discovery  
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1        been provided. These additional boxes of discovery contain a variety of records, including  
2        approximately 13 boxes of wire transfer records and/or daily sales receipts wrapped in daily  
3        tally sheets, for both Ruen Tong Thai Cuisine and Walter Café and an additional box  
4        consisting of paper receipts for monthly expenses from purchases at various locations,  
5        including grocery stores and restaurant supply and office supply stores. These boxes contain  
6        in excess of one-hundred thousand pages of documents. The additional discovery also  
7        consists of boxes of bookkeeping records and other records found during the execution of  
8        search warrants in this case.

- 9        3. Prior to the February 2, 2016, hearing, the United States began scanning many of the  
10       documents in these boxes, and will provide copies of all scanned material to Defendants.
- 11       4. At the February 2, 2016 hearing, the Court ordered the United States to provide the  
12       additional discovery material to Defendants by March 2, 2016.
- 13       5. In order to comply with the Court's order, the United States requested an estimate from an  
14       outside vendor for scanning these voluminous records. The vendor informed the United  
15       States that the cost would be approximately \$25,000 to scan all of the documents in these  
16       boxes. This cost is due to the nature of the records to be scanned. The largest part of the  
17       expense would be the scanning of the daily sales receipts from Ruen Tong Thai Cuisine and  
18       Walter Café.
- 19       6. After receiving the estimate, the United States contacted counsel for both defendants and  
20       explained the costs involved with scanning of these records in their entirety. Defendant's  
21       counsel were told that the estimated costs for scanning the document could be added as a cost  
22       of prosecution if one or both of the Defendants were convicted. Defendants agreed to the  
23       production of the additional discovery as set forth in the stipulation below, to wit, that  
24       Defendants would have the opportunity to review the un-scanned documents at the Offices of  
25       the United States Attorney and that they could request copies of various document to be  
26       scanned and provided to them.

**STIPULATION**

The United States of America and Defendants Yaowapha Rittet and Steve Walter, through their respective counsel, agree and stipulate as follows:

7. Concerning the approximately 13 boxes containing records of wire transfers, daily sales receipts and/or tally sheets from Ruen Tong Thai Cuisine and Walter Café, identified in paragraph 2 above, the daily sales receipts will not be scanned. The daily tally sheets and wire transfers will be scanned and provided to the Defendants. Similarly, the box containing business expense receipts, identified in paragraph 2 above, will not be scanned. Instead, the United States will make the daily sales receipts and business expense receipts identified in paragraph 2 available to Defendants at the United States Attorney's Office for the Northern District of California for their inspection and review. Defendants reserve the right to request that the United States scan and provide these documents at a future date, and recognize that the costs for such scanning could be assessed as a cost of prosecution if one or both of them was to be convicted. Defendants also reserve the right to challenge the assessment of these costs if convicted.
8. United States will scan and provide copies of the documents contained in the other boxes by March 2, 2016.

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1 9. The parties request an order regarding the additional discovery as set forth in this stipulation.

2 **IT IS SO STIPULATED.**

3 Dated: March 2, 2016.

s/ Jose A. Olivera  
JOSE A. OLIVERA  
Assistant U.S. Attorney  
CHARLES A. O'REILLY  
Trial Attorney

6 Dated: March 2, 2016.

s/ Adam Pennella  
ADAM PENNELLA  
Attorney for Defendant Walter

9 Dated: March 2, 2016.

s/ Emily J. Kingston  
EMILY J. KINGSTON  
Attorney for Defendant Ritdet

**[~~PROPOSED~~] ORDER**

For the reasons set forth in the above Stipulation, the Court's February 2, 2016 Order to provide additional discovery to the Defendants by March 2, 2016, shall be satisfied by the United States making available to the Defendants the boxes containing daily sales receipts from Ruen Tong Thai Cuisine and Walter Café, and the box containing business expense receipts, as set forth in the parties' Stipulation. The United States will scan and provide to the Defendants the remaining discovery material as previously ordered.

**IT IS SO ORDERED.**

Dated: 3/2/2016

THE HONORABLE  
UNITED STATES

